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U.S. DISTRICT COURT

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DISTRICT OF UTAH

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*Attorneys for State of Utah and Utah Highway Patrol*

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

THOMAS ROMERO, and JULIE TAPIA,  
individually and as representatives of a class,  
and JOHN DOES and JANE DOES, who are  
other members of the class, similarly  
situated,

Plaintiffs,

v.

THE STATE OF UTAH; UTAH  
HIGHWAY PATROL; LISA STEED, a Utah  
Highway Patrol Trooper, in her individual  
and official capacities; and JOHN and JANE  
DOES 1-30,

Defendants.

**NOTICE OF REMOVAL OF A CIVIL  
ACTION FROM STATE COURT TO  
FEDERAL COURT**

Case: 2:13-cv-00009  
Assigned To : Wells, Brooke C.  
Assign. Date : 1/4/2013  
Description: Romero et al v. State of  
Utah et al

Pursuant to 28 U.S.C. §§ 1441(b), 1443, and 1446, Defendants, State of Utah and Utah  
Highway Patrol by and through counsel, Scott D. Cheney, Assistant Utah Attorney General,

hereby give NOTICE OF REMOVAL of the civil action pending against Defendants in the Third Judicial District for Salt Lake County, State of Utah, entitled *Thomas Romero and Julie Tapia v. State of Utah, et al.*, Case No. 120908480, to this Court. The grounds for removal are:

1. This action was commenced by the filing of a Complaint on or about December 14, 2012 in the Third Judicial District Court in and for Salt Lake County, State of Utah.
2. Defendants received a copy of the Complaint on or about December 19, 2012.
3. Plaintiffs' Complaint asserts causes of action against Defendants for alleged violations of federal civil rights under 42 U.S.C. § 1983.
4. Based on Plaintiffs' allegations of violations of civil rights, this Court has original jurisdiction of the above-entitled action pursuant 28 U.S.C. §1331, and this action may be removed to this Court pursuant to 28 U.S.C. §§1441 and 1443.
5. Removal of this action is timely. Fewer than thirty days have elapsed since the Defendants received a copy of the Complaint. The Complaint was the pleading from which it was first ascertained that the case is one that has become removable. *See* 28 U.S.C. §1446(b).
6. Pursuant to 28 U.S.C. §1446 (a), copies of all process and pleadings that have been received by Defendants State of Utah and UHP are attached hereto as Exhibit A.

WHEREFORE, Defendants submit this Notice that the above-entitled matter is hereby removed from the Third Judicial District Court in and for Salt Lake County, State of Utah, in accordance with the provisions of 28 U.S.C. § 1446.

DATED this 4<sup>th</sup> day of January 2013.

MARK L. SHURTLEFF  
Utah Attorney General

  
/s/ Scott D. Cheney

Scott D. Cheney  
Assistant Utah Attorney General  
Attorneys for Defendants State of Utah and Utah  
Highway Patrol